

ASSIGNED

31644

Serial No.

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 11 1977

Returned to applicant for correction

Corrected application filed Map filed MAY 11 1977

The applicant James J. Newman for Newman Construction Ltd. a Nevada Corp.

1779 W. King St. of Carson City
Street and No. or P.O. Box No. City or Town

Nevada 89701, hereby make application for permission to change the
State and Zip Code No.

Manner and Place of use

of water heretofore appropriated under Application No. 25546

of Decreed right Adjudicated Nov. 14, 1885
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Ormsby County

1. The source of water is Ash Canyon (Gregory Creek)
Name of stream, lake or other source.

2. The amount of water to be changed 30 ac. ft. per year
Second feet, acre feet.

3. The water to be used for Municipal
If for stock state number and kind of animals.

4. The water heretofore used for Irrigation
If for stock state number and kind of animals.

5. The water is to be diverted at the following point SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T.15N., R.19E., M.D.B. & M.
at a point from which the SW corner of Sec. 12 bears S. 75° 35' 47"
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
W. a distance of 1585.95 ft.
stated.

6. The existing point of diversion is located within

If point of diversion is not changed, do not answer.

7. Proposed place of use Sec. 33, S $\frac{1}{2}$ Sec. 31, S $\frac{1}{2}$ Sec. 32, W $\frac{1}{2}$ Sec. 34, T16N.,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

R20E., Secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 20, 21, 22,
29, 32, N $\frac{1}{2}$ 11, W $\frac{1}{2}$ 28, W $\frac{1}{2}$ 33, E $\frac{1}{2}$ 31, E $\frac{1}{2}$ 30, E $\frac{1}{2}$ 19, T.15N., R.20E., Sec.
12, E $\frac{1}{2}$ Sec. 1, T15N., R.19E., All of M.D.B. & M., Carson City, Nevada.

8. Existing place of use within S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7, T.15N., R.20E., M.D.B. & M. and a
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
portion of N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T15N., R.20E., M.D.B. & M.

9. Use will be from 1 January to 31 December of each year.
Day and Month Day and Month

10. Use has been from As decreed to of each year.
Day and Month Day and Month

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Screening Box, Pipeline, Meter for
State manner in which water is to be diverted, whether by dam or other works,
connection from point of diversion to Carson City Municipal System.
whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works 5,000
13. Estimated time required to construct works 1 year
14. Estimated time required to complete the application of water to beneficial use 3 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared lm/ga dc/bl Applicant James J. Newman for Newman Construction Ltd.
 By s/ James J. Newman Pres.
110 E. Ann St.
Carson City, Nevada 89701

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner of use and place of use of a portion of the waters of Ash Canyon Creek (aka Gregory's Canyon Creek) as heretofore granted under Permit 25546, is issued subject to the terms and conditions imposed in said Permit 25546, and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This permit is further issued subject to the following conditions:

1. The permit is issued subject to all existing rights on the source with the understanding that the diversion will be regulated according to the Newman period of use under the present accepted rotation schedule on the stream system and further that the diversion will be subject to any changes in that rotation schedule.
2. That the works of diversion will not impede or restrict the flow of the channel in any manner.
3. That totalizing meters be installed on the diversion works with annual reports submitted to the Division of Water Resources on actual amounts of diversion.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 30.0 acre-feet annually. ~~XXXXXX FEET PER SECOND~~

Actual construction work shall begin on or before June 1, 1978

Proof of commencement of work shall be filed before July 1, 1978

Work must be prosecuted with reasonable diligence and be completed on or before June 1, 1979

Proof of completion of work shall be filed before July 1, 1979

Application of water to beneficial use shall be made on or before June 1, 1982

Proof of the application of water to beneficial use shall be filed on or before July 1, 1982

Map in support of proof of beneficial use shall be filed on or before _____

Commencement of work filed JUN 12 1979
 Completion of work filed JUN 12 1979
 Proof of beneficial use filed _____
 Cultural map filed _____
 Certificate No. _____ Issued _____
 Recorded _____ Bk _____ Page _____

IN TESTIMONY WHEREOF, IROLAND D. WESTERGARD
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 1st day of December

A.D. 19 77